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10 Attorneys for Four Seasons Hotels Limited, a Canadian company

11  
12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA

14 BENIGNO BACOLORES, on behalf of  
15 himself and all others similarly situated,

16 Plaintiff,

17 v.

18 FOUR SEASONS HOTELS LIMITED, a  
Canadian company doing business in  
19 California, and Does 1-100, inclusive,

20 Defendant.

CASE NO. C-07-05592 MHP

(San Francisco Superior Court Case No. CGC-07-467485)

**DECLARATION OF PETER B. MARETZ  
IN SUPPORT OF DEFENDANT FOUR  
SEASONS HOTELS LIMITED'S  
MOTION TO TRANSFER VENUE TO  
THE CENTRAL DISTRICT OF  
CALIFORNIA  
[28 U.S.C. §1404(a)]**

**ACCOMPANYING PLEADINGS:  
NOTICE OF MOTION; SUPPORTING  
MEMORANDUM OF POINTS AND  
AUTHORITIES; DECLARATION OF  
SAMANTHA WALDER**

Date: January 7, 2008  
Time: 2:00 p.m.  
Courtroom: 15  
Judge: Marilyn Hall Patel

Class Action Fairness Act

Action Filed September 21, 2007

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1 I, PETER B. MARETZ, declare:

2  
3 1. I am an attorney licensed to practice law before all courts in the State of California  
4 and the United States District Court, Northern District of California, and am an attorney with the  
5 law firm of Shea Stokes, ALC, attorneys of record herein for Defendant FOUR SEASONS  
6 HOTELS LIMITED. I have personal knowledge of the facts set forth in this Declaration and can  
7 competently testify thereto. I make this declaration in support of Defendant Four Seasons  
8 Limited's Motion to Transfer Venue to the Central District of California

9 2. Plaintiff commenced this lawsuit on September 21, 2007, in the Superior Court of  
10 California, County of San Francisco. Pled as a class action, the lawsuit alleges Plaintiff and the  
11 putative class members, consisting of Four Seasons employees, missed meal and rest breaks, and  
12 were forced to work "off the clock." The complaint seeks recovery of unpaid wages and penalties.

13 3. On November 2, 2007, Four Seasons successfully removed the action to this Court.  
14 Subject matter jurisdiction is founded on diversity of citizenship under both 28 U.S.C. section  
15 1332(a) and 28 U.S.C. section 1332(d) (the Class Action Fairness Act).

16 4. Four Seasons is a Toronto, Ontario based management company involved in the  
17 management of high-end luxury hotels, including the Four Seasons Los Angeles at Beverly Hills  
18 ("the Hotel").

19 5. Samantha Walder is expected to testify regarding the policies and procedures at the  
20 Hotel regarding meal and rest breaks, and working off the clock. Specifically, Ms. Walder is  
21 expected to testify that meal and rest breaks were provided to employees as a matter of practice  
22 and policy. Moreover, Ms. Walder will testify regarding the strict prohibition at the Hotel against  
23 working off the clock.

24 6. Elena Pikor is expected to testify regarding the administration and maintenance of  
25 employee time and payroll records.

26 7. Ashley James was Mr. Bacolores's Division Head and is expected to testify  
27 regarding the practices and procedures within that Division for meal and rest breaks, and working  
28 off the clock.

